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Form PTO 1390 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE (REV 5-93)		ATTORNEY'S DOCKET NUMBER <b>P32396</b>
<b>TRANSMITTAL LETTER TO THE UNITED STATES          DESIGNATED / ELECTED OFFICE (DO/EO/US)          CONCERNING A FILING UNDER 35 U.S.C. 371</b>		U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5) <b>09/077,263</b>
INTERNATIONAL APPLICATION NO. <b>PCT/EP00/08048</b>	INTERNATIONAL FILING DATE <b>17 August 2000</b>	PRIORITY DATE CLAIMED <b>20 August 1999</b>
TITLE OF INVENTION <b>PHARMACEUTICAL FORMULATION COMPRISING AMOXYCILLIN AND          CLAVULANATE</b>		
APPLICANT(S) FOR DO/EO/US <b>Natahalie Claude Marianne BARGES, Jacky Andre Gustave MENTION</b>		

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:


1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
  2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
  3. ☐ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
  4. ☐ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
  5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
    - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
    - b. ☐ has been transmitted by the International Bureau.
    - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
  6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
  7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
    - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
    - b. ☐ have been transmitted by the International Bureau.
    - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
    - d. ☐ have not been made and will not be made.
  8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
  9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
  10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).
- Items 11. to 16. below concern other document(s) or information included:**
11. ☐ An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.
  12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.
  13. ☐ A **FIRST** preliminary amendment.
  14. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
  15. ☐ Please amend the specification by inserting before the first line the sentence:
  16. ☐ A substitute specification.
  17. ☐ A change of power of attorney and/or address letter.
  18. ☐ An Abstract on a separate sheet of paper.
  19. ☒ Other items or information: Copy of Form PCT/DO/EO/905.

US APPLICATION NO. (if known see 37 CFR 1.50) <b>09/077,263</b>		INTERNATIONAL APPLICATION NO. <b>PCT/EP00/08048</b>		ATTORNEYS DOCKET NO. <b>P32396</b>	
20. [X] The following fees are submitted:				CALCULATIONS PTO USE ONLY	
( ) one month extension..... \$ 110 ( ) two months extension..... \$ 400 ( ) three months extension..... \$ 920 ( ) four months extension (not beyond statutory time period)..... \$1,440 (x) fifth month extension..... \$1,960				\$1,960.00	
ENTER APPROPRIATE BASIC FEE AMOUNT =				\$1,960.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than o 20 o 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$130.00	
Claims	Number Filed	Number Extra	Rate		
Total claims	- 20 =	0	0 x \$18.00	\$0.00	
Independent claims	- 3 =	0	0 x \$84.00	\$0.00	
Multiple dependent claims (if applicable)			+ \$280.00	\$0.00	
TOTAL OF ABOVE CALCULATIONS =				\$2,090.00	
Reduction by 1/2 for filing by small entity, if applicable. Verified Small Entity statement must also be filed. (Note 37 CFR 1.9, 1.27, 1.28).				\$	
SUBTOTAL =				\$2,090.00	
Processing fee of \$130.00 for furnishing the English translation later than o 20 o 30 months from the earliest claimed priority date (37 CFR 1.492(f)) +				\$	
TOTAL NATIONAL FEE =				\$2,090.00	
				Amount to be refunded	\$
				charged	\$2,090.00

- a. ☐ A check in the amount of \$\_\_\_\_\_ to cover the above fees is enclosed.
- b. ☒ Please charge my Deposit Account No. 19-2570 in the amount of **\$2,090.00** to cover the above fees. A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 19-2570. A duplicate copy of this sheet is enclosed.
- d. ☒ General authorization to charge any and all fees under 37 CFR 1.16 or 1.17, including petitions for extension of time relating to this application. (37 CFR 1.136 (a)(3)).

**NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.**

SEND ALL CORRESPONDENCE TO:  
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 SIGNATURE  
 Dara L. Dinner  
 NAME  
 33,680  
 REGISTRATION NO.



## UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT  
United States Patent and Trademark Office  
Washington, D.C. 20231  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/069,681	Nathalie Claude Marianne Barges	P32396

INTERNATIONAL APPLICATION NO.
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PCT/EP00/08048

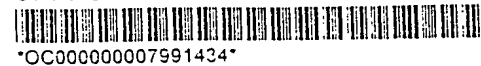
I.A. FILING DATE	PRIORITY DATE
08/17/2000	08/20/1999

20462

SMITHKLINE BEECHAM CORPORATION  
CORPORATE INTELLECTUAL PROPERTY-US, UW2220  
P. O. BOX 1539  
KING OF PRUSSIA, PA 19406-0939

CONFIRMATION NO. 3820

371 FORMALITIES LETTER



\*OC000000007991434\*

Date Mailed: 05/02/2002

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Priority Document
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Information Disclosure Statements
- Preliminary Amendments
- Request for Immediate Examination

2002 MAY -8 P 12:45

SMITHKLINE BEECHAM

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$130 Surcharge for providing the oath or declaration later than the appropriate 30 months from the priority date (37 CFR 1.492(e)) is required.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

## SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Late oath or declaration Surcharge.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

JOHN L ANDERSON

Telephone: (703) 308-9116

## PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/069,681	PCT/EP00/08048	P32396

FORM PCT/DO/EO/905 (371 Formalities Notice)

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PATENT  
ATTORNEY'S DOCKET NUMBER P32396

TRANSMITTAL LETTER TO THE U.S. DESIGNATED/ELECTED OFFICE  
(DO/EO/US) – CONCERNING A FILING UNDER 35 U.S.C 371

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INTERNATIONAL APP. NO.	INTERNATIONAL FILING DATE	PRIORITY DATE CLAIMED
PCT/EP00/08048	17 August 2000	20 August 1999

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TITLE OF INVENTION  
PHARMACEUTICAL FORMULATION COMPRISING AMOXYCILLIN AND  
CLAVULANATE

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APPLICANT(S) FOR DO/US  
Natahalie Claude Marianne BARGES, Jacky Andre Gustave MENTION

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Box PCT  
Assistant Commissioner for Patents  
Washington, D.C. 20231  
ATTENTION: DO/US

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CERTIFICATION UNDER 37 CFR 1.10

I hereby certify that this Transmittal Letter, Form PTO 1390 and the papers indicated as being transmitted therewith, and Post Card are being deposited with the United States Postal Service on this date 2 December 2002 in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number EV105000036US addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231.

Dawn Trigg  
(Typed or printed name of person mailing paper)

Dawn Trigg  
(Signature of person mailing paper)



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